

REMARKS

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Reconsideration of the application is requested.

Claims 1-16 remain in the application. Claims 1-16 are subject to examination.

Under the heading "Claim Rejections - 35 USC § 102" on pages 2-4 of the above-identified Office Action, claims 1-16 have been rejected as being fully anticipated by U.S. Patent No. 6,369,719 to Tracy et al. (hereinafter Tracy) under 35 U.S.C. § 102.

Tracy describes a system for remotely monitoring and transmitting data and other information from utility type devices (e.g. meters). The information is initially received in analog form, converted to digital form, and then transmitted to interested parties. In particular Tracy describes a read device (reader), which directs infrared radiation toward a mechanical, rotary measuring unit of an electricity or water meter and then receives again the infrared light reflected by the metering unit. In this case, the read out device detects the passing movement of a marking on the rotary meter and can thus determine the rotations of the metering unit and calculate the electricity or water consumption therefrom.

The read out device or read out method described in Tracy has, however, little to do with the subject matter of the invention of the instant application. In the instant application, the consumption data is not at all read out via an optical communication. Rather, the optical communication is exclusively used for a one-time announcement of the individual consumption detection devices to the central unit of the system (the master data collector) when initially installing the consumption detection system (formed of consumption detection devices and one or more data collectors), so that the data master collector knows, during later operation of the consumption detection system, which devices belong to "its" system to ensure that only the consumption data transmissions - transmitted via radio communications - of those data collectors actually assigned to it are considered and possibly forwarded.

Such a method for announcing a device to a system during initial installation of the system is not described in any manner in Tracy, and there are no hints therein to such a method or system according to the invention of the instant application so that the subject matter of the invention is not obvious to one of average skill in the art.

Claim 1 of the instant application recites the steps of:

announcing the individual apparatus to the system using optical communication; and

after completing the announcing step, communicating further information through radio communications.

A clear distinction is made between the individual apparatus announcing itself (e.g. identifying itself) to the system via optical communications and that of its later communication of further information, such as consumption data, through radio communications.

Clearly Tracy does the step of transmitting further information, but Tracy does not teach that the individual apparatuses first announce themselves to the system using optical communications.

In order to construct a system and keep it in operation, it is necessary to know, within the system (in the master data collector and/or in the data collectors), which apparatuses are present in the system overall. Therefore all apparatuses that are to be introduced into the system must first be notified to the system, that is to say announced thereto.

Announcing the subscribers to such a system has usually been done either by way of a portable computer connected directly to the central apparatus, such as for example a laptop or a handheld computer, in which case each apparatus to be notified

or announced must be inputted manually into the portable computer and then transmitted to the central apparatus; or it is also known in radio networks to implement announcement of the subscribers to the system by radio. That however suffers from the disadvantage that, because of the relatively great radio range, an apparatus that is to be announced can be announced simultaneously to a plurality of data collectors. In order to be able to prevent that, all other apparatuses in question must first be screened or switched off before the announcement procedure can take place, and in the case of relatively large systems that involves a not inconsiderable amount of complication and expenditure.

Therefore, an optical based announcement system has clear advantages over the prior art including Tracy.

Independent claims 10, 11 and 14 recite similar language and therefore the above-identified arguments apply equally well to these claims.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 10, 11, or 14. Claims 1, 10, 11 and 14 are, therefore, believed to be patentable over the art. The dependent claims are believed to

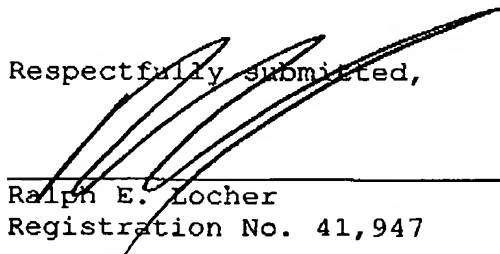
be patentable as well because they all are ultimately dependent on one of claims 1, 11 and 14.

In view of the foregoing, reconsideration and allowance of claims 1-16 are solicited.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,


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